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Docket: 0756-1146

RESPONSE UNDER 37 CFR 1.116 - EXPEDITED
PROCEDURE - EXAMINING GROUP 2515

#10
8/6/96

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT application of)
Shunpei YAMAZAKI et al.)
Serial No. 08/350,168) Art Unit: 2515
Filed: November 30, 1994) Examiner: T. Nguyen
For: ELECTRO-OPTICAL DEVICE AND)
METHOD FOR MANUFACTURING)
THE SAME)

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on July 30, 1996.

Ingeborg S. Alexander
Ingeborg S. Alexander

AFTER FINAL RESPONSE

Honorable Assistant Commissioner for Patents
Box AF
Washington, D.C. 20231

Sir:

A response to the Examiner's Office Action dated April 30, 1996, is provided below. Claims 1-7 and 9-31 are currently pending in the above-noted application.

Referring to the Action, the specification is objected to and claims 1-7 and 9-31 are rejected on the basis that the specification does not support the claims.

First, the Action asserts that the claiming of an active matrix circuit having a non-single crystalline TFT, a driving means having a non-single crystalline TFT, and a single crystalline IC chip is not supported in the specification. Applicant respectfully disagrees with the Examiner. The specification, beginning at the second full paragraph on page 18, discusses the forming of a silicon island from amorphous silicon for use in both the active matrix circuit and peripheral circuit (driving means) TFTs (see Figures 8A-8I and 9A-9I). The use of an amorphous silicon to form the semiconductor island in the present invention produces a non-single crystalline TFT as claimed.

With respect to the IC chip, on page 1 of the specification, beginning with the third full paragraph, an active matrix type liquid crystal display is discussed as having an active matrix circuit formed by using TFTs and its driving circuit constructed by a single crystalline semiconductor integrated circuit chip of an external type. As discussed at other locations in the specification, the present invention is used with external IC chips of this type (see page 10, fourth full paragraph; page 15, first full paragraph; page 22, third full paragraph). Therefore, the above recitation of an active matrix circuit having a non-single crystalline TFT, a driving means having a non-single crystalline TFT, and a single crystalline IC chip is supported by the specification and reconsideration is respectfully requested.

Second, the TFTs of the active matrix circuit and the driver circuit do have the same structure and are clearly described in the specification and drawings of the instant application. As provided on page 18, second full paragraph, of the specification, Figs. 8A to 8I show cross sections of an active matrix circuit portion and Figs. 9A to 9I show cross sections of a peripheral circuit portion. In particular, Figs. 8I and 9I show TFTs having the same structure (see TFT 848 in Fig. 8I and TFTs 849 and 850 in Fig. 9I). Moreover, these structures are described together beginning on page 18 of the specification as being formed by similar methods. Therefore, in view of the foregoing, TFTs in the active matrix circuit and the driver circuit of the present invention do have the same structure and reconsideration is requested.

For the reasons set forth above, applicants now believes that claims 1-7 and 9-31 are in proper condition for allowance. Reconsideration of the pending rejections is requested. If any further discussions about this case would be beneficial, the Examiner is invited to contact the undersigned.

Respectfully submitted,



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RESPONSE TO AMENDMENT

Applicants' Amendment dated January 29, 1996, has been received and entered.

Specification

1. The following is a quotation of the first paragraph of 35 U.S.C. § 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The specification is objected to under 35 U.S.C. § 112, first paragraph, as the specification, as originally filed, does not provide support for the invention as is now claimed.

The claiming of an active matrix circuit having a *non-single crystalline* TFT, driving means having a *non-single crystalline* TFT, and a *single crystalline* IC chip in all the independent claims, and the TFTs of the active matrix circuit and the driver circuit having the same structure in new claims 26-31 is not supported in the specification as originally filed.

Claim Rejections - 35 USC § 112

2. Claims 1-31, ^{minus claim 8,} are rejected under 35 U.S.C. § 112, first paragraph, for the reasons set forth in the objection to the specification, i.e. they contain new matter.

While the new matter in the independent claims distinguish claims 1-31 from the prior

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art of record, upon the required cancellation of such new matter in the independent claims and claims 26-31, the previous rejection of claims 1-25 over prior art will be reinstated.

Conclusion

3. Applicant's arguments with respect to claims 1-25 have been considered but are deemed to be moot in view of the new grounds of rejection.
4. Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tiep Nguyen whose telephone number is (703) 305-3496.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1615.

William L. Sikes
WILLIAM L. SIKES
SUPERVISORY PATENT EXAMINER
GROUP 2500